



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,175	04/30/2001	John E. Brezak	MS1-646US	4174

22801 7590 10/21/2004

LEE & HAYES PLLC  
421 W RIVERSIDE AVENUE SUITE 500  
SPOKANE, WA 99201

EXAMINER

SON, LINH L D

ART UNIT PAPER NUMBER

2135

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/846,175

Applicant(s)

BREZAK ET AL.

Examiner

Linh Son

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/15/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Hillhouse, US Patent No. 6052468.
3. As per claims 1 and 11, Hillhouse discloses a method for use in a computer capable of supporting multiple authentication mechanisms (Col 6 lines 25-35), the method comprising: generating at least one indicator associated with and identifying at least one authentication mechanism (Col 8 lines 27-43); and controlling access to at least one resource based on the indicator (Col 5 lines 32-38).
4. As per claims 2, 12, and 22, Hillhouse discloses the method as recited in claims 1, 11, and 21, wherein generating the indicator further includes receiving inputs, providing the inputs to the authentication mechanism, and causing the authentication

mechanism to generate at least one security identifier (SID) that identifies the authentication mechanism (Col 8 lines 27-43).

5. As per claims 3, 13, and 23, Hillhouse discloses the method as recited in claims 1, 11, and 21, wherein generating the indicator further includes identifying within the indicator at least one characteristic associated with the authentication mechanism (Col 8 lines 27-43).

6. As per claims 4, 14, and 24, Hillhouse discloses the method as recited in claims 3, 13, and 23, wherein the at least one characteristic associated with the authentication mechanism includes a measure of strength of the authentication mechanism (Col 8 lines 44-67).

7. As per claims 5, 15, and 25, Hillhouse discloses the method as recited in claims 4, 14, and 24, wherein the measure of strength of the authentication mechanism identifies a length of an encryption key employed by the authentication mechanism (Col 8 lines 44-67).

8. As per claims 6, and 16, Hillhouse discloses the method as recited in claims 1, 11, and 21, wherein controlling access to the resource based on the indicator further includes comparing the indicator to at least one access control list having at least one access control entry therein (Col 7 lines 15-18).

9. As per claims 7, and 17, Hillhouse discloses the method as recited in claims 6 and 16, wherein if the access control entry operatively specifies that the at least one authentication mechanism is permitted to access the resource, then access to the at least one resource is allowed to proceed (Col 7 lines 15-21).

10. As per claims 8, 18, Hillhouse discloses the method as recited in claims 6 and 16, wherein if the access control entry operatively specifies that the at least one authentication mechanism is not permitted to access the resource, then access to the at least one resource is not allowed to proceed (Col 5 lines 52-60).

11. As per claims 9, and 19, Hillhouse discloses the method as recited in claims 6 and 16, wherein if the access control entry does not operatively specify that the at least one authentication mechanism is permitted to access the resource, then access to the at least one resource is not allowed to proceed (Col 5 lines 52-60).

12. As per claims 10, 20, and 26, Hillhouse discloses the method as recited in claims 1, 11, and 21, wherein the indicator includes a security token.

13. As per claims 21, Hillhouse discloses an apparatus comprising: at least one authentication mechanism configured to generate at least one indicator that identifies the authentication mechanism (Col 8 lines 27-43); an access control list (Col 7 lines 15-

18); at least one access controlled resource (Col 8 lines 1-15); and logic operatively configured to compare the indicator with the access control list and selectively control access to the resource based on the indicator (Col 7 lines 1-26).

### **Conclusion**

14. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (703)-305-8914.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (703)-305-4393. The fax numbers for this group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703)-305-9600.

16. Please notice. Due to the Office moving, the telephone numbers above will only be valid until October 15<sup>th</sup> of 2004. After that, the follow list of numbers will be valid:

Examiner: (571) 272-3856.

Kim Y. Vu: (571) 272-3859

Receptionist : (571) 272-2100


17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIR.I system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status

Art Unit: 2135

information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://pzd-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Linh LD Son**

**Patent Examiner**



**KIM VU**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2135